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09/507,449	02/19/2000	Todd M. Spencer	10991107-1	8243

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EXAMINER

KUPSTAS, TOD A

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/507,449

Applicant(s)

SPENCER ET AL.

Examiner

Tod Kupstas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: In claim 1, line 8, "transparent synchronization said" does not make sense, a word needs to be inserted between "synchronization" and "said" such as --with--. Alternatively the phrase could be rewritten to state --transparent synchronization between said at least one local application and said at least one corresponding remote application-- Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35

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U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4, 8-11, and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Varma (US 6,336,134).

As set forth in claim 1, Varma discloses a system (see fig. 3) for ensuring transparent synchronization of multiple applications across remote systems, the transparent synchronization system comprising: local application sharing logic configured to receive events to be shared from a local application, and transmit said events to be shared (this is done through the establishment of work spaces); remote application sharing logic configured to receive said events to be shared from said local application sharing logic, and transmit said events to at least one corresponding remote application for processing (this is done through the communication of multiple clients to establish work spaces); and transparent synchronization logic configured to ensure transparent synchronization said at least one local application with said at least one remote application (the synchronization is performed without client involvement, i.e. transparently); see generally col. 5-col. 13, for the disclosure related to the synchronization of the system. The system generally involves the collaboration of clients in a work space. This collaboration requires the synchronization of information in order to perform the workgroup functions over a network. The system additionally delineates between both static and dynamic areas for determining the relevant synchronization system.

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As set forth in claim 2, Varma discloses a system wherein said transparent synchronization logic further comprises: remote event buffering logic configured to buffer said events to be shared received by remote application sharing logic; see col. 8, lines 19-25 (here a FIFO buffer is disclosed).

As set forth in claim 3, Varma discloses a system wherein said remote event buffering logic further comprises: remote synchronization logic configured to determine if said at least one corresponding remote application is ready to receive said events to be shared; see col. 8, lines 19-25, based upon the FIFO buffer the system will determine whether or not the remote client is prepared to receive information.

As set forth in claim 4, Varma discloses a system wherein said remote synchronization logic further comprises: remote status inquiry logic configured to send an inquiry to said at least one corresponding remote application requesting notification when said at least one corresponding remote application is ready to receive said events to be shared; and wherein said remote application sharing logic is configured to transmit said events to said at least one corresponding remote application for processing when said at least one corresponding remote application indicates a ready to receive said events to be shared status as a result of said inquiry; see col. 7, line 31-col. 8, line 3 (this section discusses starting up a newly added client and goes into detail about updating the newly added client, thus indicating to the system the readiness of an application to accept new data).

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As set forth in claim 8, Varma discloses a method for ensuring transparent synchronization of multiple applications across remote systems (fig. 3, 4), comprising the steps of: transmitting events to be shared from a local application; receiving events to be shared by a local application sharing logic; transmitting said events to be shared from said local application sharing logic to a remote application sharing logic (the transmitting and receiving events are part of the work space collaboration); receiving events to be shared, from said local application sharing logic, by a remote application sharing logic; transmitting said events from said remote application sharing logic to at least one corresponding remote application for processing (the receiving and transmitting from the remote application is part of the work space collaboration); and ensuring transparent synchronization of said events to be shared (the synchronization is done without the client's knowledge and therefore transparently); see generally col. 5-col. 13, for the disclosure related to the synchronization of the system. The system generally involves the collaboration of clients in a work space. This collaboration requires the synchronization of information in order to perform the workgroup functions over a network. The system additionally delineates between both static and dynamic areas for determining the relevant synchronization system.

As set forth in claim 9, Varma discloses a method wherein said ensuring transparent synchronization step further comprises the step of: providing a buffer for said events in said remote application sharing logic; see col. 8, lines 19-25 (here a FIFO buffer is disclosed).

As set forth in claim 10, Varma discloses a method wherein said ensuring transparent synchronization step further comprises the step of: determining if said at least one corresponding

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remote application is ready to receive said events to be shared from said buffer see col. 8, lines 19-25, based upon the FIFO buffer the system will determine whether or not the remote client is prepared to receive information.

As set forth in claim 11, Varma discloses a method wherein said determining step further comprises the steps of: sending an inquiry to said at least one corresponding remote application requesting notification when said at least one corresponding remote application is ready to receive said events to be shared; and transmitting said events to said at least one corresponding remote application for processing when said at least one corresponding remote application indicates a status ready to receive said events to be shared; see col. 7, line 31-col. 8, line 3 (this section discusses starting up a newly added client and goes into detail about updating the newly added client, thus indicating to the system the readiness of an application to accept new data).

As set forth in claim 15, Varma discloses a system (see fig. 3) for ensuring transparent synchronization of multiple applications across remote systems, said transparent synchronization system comprising: means for transmitting events to be shared from a local application; means for receiving events to be shared by a local application sharing logic (part of the work space collaboration); means for transmitting said events to be shared from said local application sharing logic to a remote application sharing logic; means for receiving events to be shared, from said local application sharing logic (part of the work space collaboration), by a remote application sharing logic; means for transmitting said events from said remote application sharing logic to at least one corresponding remote application for processing; and means for ensuring transparent

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synchronization of said events to be shared (the collaboration occurs without the client's direct knowledge and therefore it is transparent); see generally col. 5-col. 13, for the disclosure related to the synchronization of the system. The system generally involves the collaboration of clients in a work space. This collaboration requires the synchronization of information in order to perform the workgroup functions over a network. The system additionally delineates between both static and dynamic areas for determining the relevant synchronization system.

As set forth in claim 16, Varma discloses a system wherein said ensuring transparent synchronization means further comprises: means for providing a buffer for said events in said remote application sharing logic receiving means; see col. 8, lines 19-25 (here a FIFO buffer is disclosed).

As set forth in claim 17, Varma discloses a system wherein said ensuring transparent synchronization means further comprises: means for determining if said at least one corresponding remote application is ready to receive said events to be shared from said buffer; see col. 8, lines 19-25, based upon the FIFO buffer the system will determine whether or not the remote client is prepared to receive information.

As set forth in claim 18, Varma discloses a system wherein said determining means further comprises: means for sending an inquiry to said at least one corresponding remote application requesting notification when said at least one corresponding remote application is ready to receive said events to be shared; and means for transmitting said events to said at least one corresponding remote application for processing when said at least one corresponding remote application



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indicates a status ready to receive said events to be shared; see col. 7, line 31-col. 8, line 3 (this section discusses starting up a newly added client and goes into detail about updating the newly added client, thus indicating to the system the readiness of an application to accept new data).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-7, 12-14, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Varma (US 6,336,134) in view of Hales, II et al. (US 5,938,723).

Varma discloses a synchronization of clients for enabling the clients to collaborate in work spaces. Varma additionally discloses the usage of a buffer. However, Varma does not disclose having the buffer send information indicating the buffer is full, to suppress input or to indicate readiness to receive input. As set forth in claims 5, 12, and 19, Hales discloses a system wherein said transparent synchronization logic further comprises: local buffering status logic configured to suspend the transmission of said events to be shared when said remote application sharing logic indicates said buffer exceeds a buffer full threshold; see col. 13, line 60-col. 14, line 4. As set forth in claims 6, 13, and 20, Hales discloses a system wherein said local buffering status logic further

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comprises: application input suppression logic configured to suppress input to said at least one local application when said remote application sharing logic indicates said buffer exceeds a buffer full threshold; see col. 13, lines 60-col. 14, line 4. As set forth in claims 7, 14, and 21, Hales disclose a system wherein said application input suppression logic further comprises: application input enable logic configured to enable input to said at least one local application when said remote application sharing logic indicates said buffer is ready to receive said events to be shared; see col. 13, lines 60-col. 14, line 4. It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the buffer of Varma, with the means for indicating that the buffer is full, to suppress input or to indicate readiness to receive input, as taught by Hales. The rationale is as follows: It would have been desirable to have had the means for providing the system with status information related to the buffer. As Hales teaches the desirability of having means for indicating the buffer is full, to suppress input or to indicate readiness to receive input, one of ordinary skill would have been motivated by Hales's teaching to have provided the buffer of Varma, with the means for indicating that the buffer is full, to suppress input or to indicate readiness to receive input, thereby having provided system status information for the buffer to permit smooth synchronization of the system through the operation of the buffer.

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*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Christie et al. (US 5,757,669) discloses a method and apparatus for workgroup information replication.

Listen et al. (US 6,023,702) discloses a method and apparatus for a process and project management computer system.

Sato et al. (US 6,057,835) discloses a window management system with recording status display.

Kley et al. (US 6,161,146) discloses a distributed group activity data network system and corresponding method.

May et al. (US 6,199,116) discloses a method and system for managing data while sharing application programs.

Katsurabayashi (US 6,308,199) discloses cooperative work support system for managing a window display.

Van Loo (US 6,463,472) discloses a system for maintaining strongly sequentially ordered packet flow in a ring network system with busy and failed nodes.

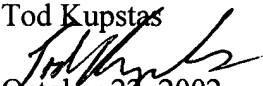
Saxena et al. (US 5,805,821) discloses a video optimized media streamer user interface employing non-blocking switching to achieve isochronous data transfers.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tod Kupstas whose telephone number is (703) 305-2655.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached at (703) 305-4792. The fax phone number for this art unit is (703) 308-7201. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 305-3900.

Tod Kupstas

  
October 22, 2002